

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

DAVID R. CALLAWAY (CABN 121782)
Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor
San Francisco, California 94102
Telephone: (415) 436-6991
Facsimile: (415) 436-7234
E-mail: David.Callaway@usdoj.gov

E-FILED - 3/4/11

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

The parties jointly ask the Court to continue Kevin Vo's sentencing from its currently scheduled date of March 7, 2011, to **Monday, May 9, 2011**, at 9:00 a.m. The reasons are (1) that the remaining defendants have now pleaded guilty and two of them, Jules Vo and Tan Vo, are also scheduled to be sentenced on that same date, and (2) the government intends to file a motion for a sentencing departure for Kevin Vo under U.S.S.G. § 5K1.1. The parties believe that it would be appropriate to have the cooperating defendant be sentenced, if not last, then at least with the last group of defendants, rather than, as currently scheduled, with the first. (Sentencing for defendants Mai Nguyen, Nguyen Tran, and Richard Tran will go forward as scheduled on Monday, March 7th.)

REQUEST TO CONTINUE SENTENCING

1 The assigned United States Probation officer, Waseem Iqbal, has confirmed that the
2 requested date is acceptable to him.

3 IT IS SO STIPULATED:

4 DATED: March 2, 2011

MELINDA HAAG
United States Attorney

5 / s /

6 DAVID R. CALLAWAY
7 Assistant United States Attorney
Counsel for United States

8 DATED: December 9, 2010

9 / s /

10 ALLEN H. SCHWARTZ, ESQ.
Counsel for Defendant Kevin Vo

13 **ORDER**

14 For the reasons set forth above, and good cause appearing,

15 IT IS HEREBY ORDERED that sentencing for the captioned defendant, currently
16 scheduled to occur on March 7, 2011, is continued to **Monday, May 9, 2011, at 9:00 a.m.**,
17 before The Honorable Ronald M. Whyte, United States District Judge.

18 Date: 3/4/11

19 
RONALD M. WHYTE
United States District Judge